

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: AQUILA, INC., d/b/a AQUILA NETWORKS	DOCKET NOS. SPU-03-7 WRU-03-20-225
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**ORDER DOCKETING REQUEST FOR EXPEDITED WAIVER,
OR IN THE ALTERNATIVE, APPLICATION FOR APPROVAL OF
PROPOSAL FOR REORGANIZATION**

(Issued May 2, 2003)

On April 30, 2003, Aquila, Inc., d/b/a Aquila Networks (Aquila), filed a request for expedited waiver of the provisions of 199 IAC Chapter 32 to permit Aquila to proceed with a pledge of Iowa utility assets to secure a revised credit agreement. Aquila requests the Board grant the waiver on an expedited basis on or before May 30, 2003. Board rule 199 IAC 32.8 allows a public utility to file a request for waiver of the filing requirements of chapter 32. If the Board does not grant the waiver request, Aquila asks, in the alternative, that the Board approve a proposal for reorganization which includes the proposed pledge of assets. Aquila filed the information required by chapter 32 with the proposed reorganization.

In order to address the request for expedited consideration of the waiver request, the Board will docket the waiver request and the proposed reorganization and establish a shortened time for filing answers and objections to the request. Since Iowa Code § 476.77 requires the Board to issue an order within 90 days of the

filing date, the Board will establish a tentative procedural schedule to ensure a timely consideration of the application if the Board denies the waiver request.

IT IS THEREFORE ORDERED:

1. The request for expedited waiver filed by Aquila, Inc., d/b/a Aquila Networks, on April 30, 2003, is docketed for further review.
2. Applications to intervene in the waiver request or the application for approval of proposed reorganization shall be filed on or before May 15, 2003.
3. Answers and objections to the request for waiver shall be filed on or before May 15, 2003.
4. The application for approval of proposal for reorganization filed by Aquila, Inc., d/b/a Aquila Networks, is docketed for further review.
5. The following tentative procedural schedule is established:
 - a. The Consumer Advocate Division of the Department of Justice and any intervenors shall file prepared direct testimony, with the underlying workpapers and exhibits, on or before June 2, 2003. If a party references a data request in its prepared testimony, the data request shall be filed as an exhibit.
 - b. Aquila, Inc., d/b/a Aquila Networks, shall file rebuttal testimony, with underlying workpapers and exhibits, on or before June 13, 2003.
 - c. A hearing shall be held beginning at 10 a.m. on June 30, 2003, for the purpose of receiving testimony and the cross-examination of all

testimony. The hearing shall be held in the Iowa Utilities Board Hearing Room, 350 Maple Street, Des Moines, Iowa. The parties shall appear one-half hour prior to the time of the hearing for the purpose of marking exhibits.

Persons with disabilities requiring assistive services or devices to observe or participate should contact the Utilities Board at (515) 281-5256 in advance of the scheduled date to request that appropriate arrangements be made.

d. The parties may file simultaneous initial briefs on or before July 7, 2003.

6. In the absence of objection, all underlying workpapers shall become a part of the evidentiary record of these proceedings at the time the related testimony and exhibits are entered into the record.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Sharon Mayer
Executive Secretary, Assistant to

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 2nd day of May, 2003.